



# **UE LOCAL 170 NEWSLETTER**

**WEST VIRGINIA PUBLIC WORKERS UNION**

**May 2010**

## **UE Local 170 Members Rally and Lobby At Fourth Annual Presidents' Day Rally**



**UE Local 170 Members from Hopemont and Mildred Mitchell Bateman Hospitals meet with Speaker of the House, Richard Thompson**

For the fourth year, UE Local 170 members from around the state gathered under the Gold Dome in the Capitol to rally and lobby their legislators in support of our 2010 legislative agenda, which included five bills calling for a cost-of-living increase, caseload standards, WV OSHA reform, seniority protections for state workers and the repeal of involuntary transfers.

After a spirited rally, Local 170 members marched to Governor Joe Manchin's office to deliver petitions with over 1,700 signatures, calling for a \$1,000 cost-of-living wage increase for all state workers and retirees. West Virginia's own labor-folk singing legend, Elaine Purkey, led the group in a rousing rendition of the coal miners' classic "Which Side Are You On" changing the words to "Which Side Are You On Joe."

After being told that Governor Manchin wasn't available, the group left the petitions with his personal assistant. It was later learned that he was hiding in his inner office waiting to meet with coal industry lobbyists.

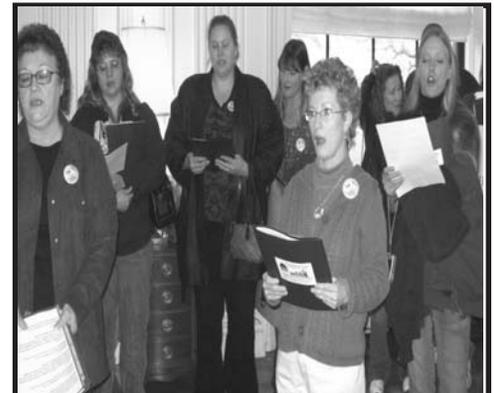
The UE Local 170 Presidents' Day Rally received extensive media coverage, including an Associated Press news story that appeared in the Charleston Gazette, and on local TV and radio stations. In These Times, a national news magazine, also did a story on our rally. For more information visit our website: [www.uelocal170.org](http://www.uelocal170.org)



**Jay Miser, President of the MMB Hospital Chapter talks with reporters about issues that effect all public employees.**



**Pavanne Pettigrew, retired state employee and UE Local 170 Lobbyist, addresses our members at the rally**



**Local 170 members marched to Governor Joe's Manchin's office singing "Which side are you on Joe" in protest of the wage freeze.**



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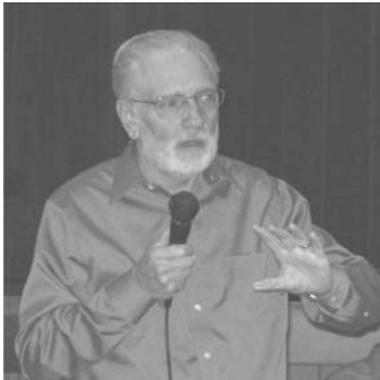
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## ***At Third Annual Statewide Convention, UE Local 170 Members Elect Officers, Adopt a Budget, Constitutional Amendments and 2010 Policy Objectives***

Last October, the third annual statewide convention was held in Charleston. Local 170 members approved a number of constitutional amendments: to clarify and enhance record keeping of the Local and the Chapters; requiring certain reporting; reducing the chapter rebate from \$2 to \$1; and specifying that the executive committee is comprised of statewide officers of the local and the president of each chapter or a designee.

The members also approved a financial plan that was necessary to keep the National Union secure as well as a local budget to effectively manage the local finances. There was considerable democratic discussion and debate on a proposal to increase the dues from \$17 to \$19 per month. In a vote of the Local 170 members in attendance, the dues increase was rejected. The Local 170 members approved 2010 policy objectives, which are available on the local's web site.

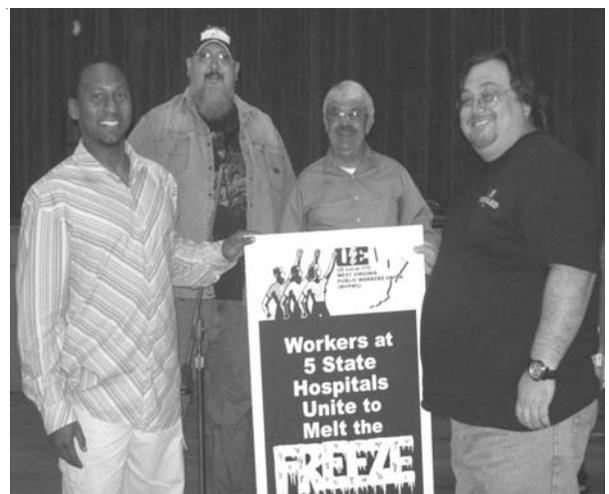
Elected to serve as executive committee officers for Local 170 were Bruce Dotson, President; Ann Mollohan, Vice-President; Darla Reynolds, Secretary Treasurer; Pam Schwarz, Recording Secretary; Steve Thompson, Chief Steward; and Trustees Gene Pickens, Ray Greenwood and Chad Edwards. Pavanne Pettigrew was authorized to organize a UE Local 170 retiree chapter.



UE National Union President John Hovis addresses Local 170 members at the statewide convention. Ernie Chafin, DHHR Chapter Recording Secretary, speaks on the dues increase proposal. Ben Griffith, a DOH member from Jackson County, nominates Bruce Dotson for Local 170 President.



Newly elected Local 170 statewide officers and trustees, starting on the left: Chad Edwards, Gene Pickens, Ray Greenwood, Bruce Dotson, Steve Thompson, Pam Schwarz, Darla Reynolds and Ann Mollohan



Mildred Mitchell Bateman Chapter officers, Keir Moorman, Jeff Watson and Jay Miser, with Local 170 President Bruce Dotson at the statewide convention.

## Stewards Council Report

Our WV Public Workers Union has won several important grievances in the past six months, but what the statistics don't show is that management is starting to settle with us in Level 2 Mediation. The grievance process is rigged against us and so we interpret the victories in Level 2 as a sign that the union is recognized for fighting the good fights to protect employee rights on the job.

Although it took almost a year to get a decision in the Knight v. DHHR case, the grievance board solidified our right to representation in pre-determination meetings. The right to representation is also established in the WV OSHA law. In our Steward Training workshops we are working on expanding the strategy of representation from grievances to representation in the workplace.

Any union member interested in attending steward training can contact Steve Thompson, the chief steward at [uelocal170\\_info@yahoo.com](mailto:uelocal170_info@yahoo.com). All of our steward training workshops are free and open to ALL union members. To be effective as a union we need to stand together and hold back the management abuse we have suffered from for too long. Steward training will be made available throughout the summer and the steward's council will bring the training to a location near you. All stewards training workshops will be posted on the union website calendar as soon as they are scheduled. To find out more see our website at [www.uelocal170.org](http://www.uelocal170.org).



### Grievance Update

Over the past few months we have had several victories regarding grievances. At Mildred Mitchell Bateman Hospital we won the restoration of \$6,600 in back pay for an employee. At other state hospitals we have won hourly increases for employees after probationary status ended.

Also within the DHHR the supervisors were instructed that employees can act as representatives to public employees of other agencies without loss of leave time.

In the Division of Motor Vehicles (DMV) we won back compensation of \$2,000 for a wrongfully disciplined employee.

We have also had victories within the Division of Highways including honoring a four day/ten hour schedule, classification upgrades and proper trainings provided to employees that were previously denied.

### PEIA Hearings



UE Local 170 members mobilized around the state late last year to attend the PEIA Finance Board's public hearings. Local 170 members demonstrated outside the hearings, passed out leaflets and spoke out forcefully against the PEIA Finance Board's proposed rate hikes and benefit cuts.

## *Legislative Update*

### *UE Local 170 takes on sick buildings and a failing WV OSHA system*

During the 2010 Legislative Session UE Local 170 had a bill introduced to reform the 1987 WV Occupational Health and Safety Act. Our research found that the legislature audited this program in 2002 and found it to be ineffective, lacking meaningful standards and had largely not been implemented by the Division of Labor. Both branches of the Legislature recognized our concerns and introduced resolutions calling for the study of WV OSHA.

Last year, UE Local 170 members encountered problems with WV OSHA after filing complaints over working in “sick buildings.” Local 170 members at DHHR offices in Mercer and Mason counties filed complaints with the Division of Labor, which oversees WV OSHA. West Virginia public workers do not fall under the protection of the federal OSHA.

WV OSHA has never been funded by the legislature since it was implemented in 1987. Because the Division of Labor doesn’t have a budget for WV OSHA compliance, they do not have adequate staff to investigate complaints. There are also no meaningful standards for indoor air quality.

UE Local 170 plans to be fully involved with the studies on WV OSHA conducted by the legislature during the upcoming interims. Local 170 is also currently surveying our members’ workplaces for safety and health issues. You can find out more info on the legislature’s WV OSHA studies as well as find the WV OSHA Survey on the UE Local 170 web site: [www.uelocal170.org](http://www.uelocal170.org).

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### *UE Local 170 to carry on fight for meaningful caseload standards*

During the 2010 Legislative Session UE Local 170 had a bill (House Bill 4419) introduced to require the development of meaningful caseload standards for the Department of Health and Human Resource program areas. The development of caseload standards has been in the law since the 1990’s but has never been implemented or enforced. HB 4419 would have required by a date certain that the Secretary of DHHR develop meaningful caseload standards. HB 4419 was passed unanimously out of the House Health and Human Resources Committee, but failed to advance any further in the legislature. In the coming months, Local 170 will exploring other avenues for compelling the Secretary of DHHR to develop meaningful caseload standards, including holding a public hearing later this year in Charleston.



## ***UE Local 170 Members kill DOA fast-track reclassification bill***

UE Local 170 members successfully mobilized to kill the Department of Administration's fast-track reclassification bill (Senate Bill 467/ House Bill 4330) during the 2010 legislative Session. The DOA bill would have permitted the Division of Personnel to impose any future reclassification plan on state workers without legislative oversight. The bill would have also denied state workers the right to file grievances over any future reclassification plan. UE Local 170 was the only state workers union to mobilize against the DOA bill during the legislative session. (See the Hay Group and the Division of Personnel Reclassification Plan)

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### ***The Hay Group and the Division of Personnel Reclassification Plan***

The Division of Personnel has contracted with the Hay Group, a global management consulting firm specializing in human resource consulting services. The end result of this study by the Hay Group is supposed to be a new classification and compensation plan. The Hay Group is looking at everything: benefits, pay, holidays, sick time, etc., and comparing this to the private sector. We need to be very alert when the new classification plan is unveiled. We may need to act very fast with our legislators if the DOP wants to take any benefits away as a result of this study. The other **big** result of this study will be the "reallocation" of personnel that the DOP feels are no longer needed in one area, to another work area.

During the 2010 legislative session the Department of Administration asked for legislation (SB 467 and HB4330) that would have stripped employees of the right to file a grievance over any such "reallocation". The mere fact that they asked for this legislation in advance of the classification plan being finished, or made available for public scrutiny, tells us that they are expecting many grievances to be filed over this as yet to be seen classification plan. The state senate passed their version of the bill, but thanks to the many phone calls, emails, and meetings with our legislators by our members, this bill was stopped in the House of Delegates. So, for the time being, you still have the right to file a grievance if you are moved to a new job and work center as a result of the new classification plan.

By now, state workers should be familiar with the Job Content Questionnaire that is being distributed by the Division of Personnel. This is part of the Hay Group study. If you have not filled one of these out, you should ask your immediate supervisor if you need to fill one out or complete one on line. **All** state employees are supposed to complete one of these surveys. For the entire transportation worker series within the DOH, a decision was made by the DOP for someone in management to complete **one** group questionnaire which covers all Transportation Workers. You will (or are supposed to) be given a chance to read this questionnaire and agree or disagree with it. You also have the right to submit one of these questionnaires on your own regardless of whether you agree or disagree. Do not let someone else "water down" your responsibilities and duties, and the hazards you face on a daily basis. The Hay Group is going to use these surveys to make recommendations that will update the current classification system and modernize the states compensation plan. **You** must make sure your job responsibilities are accurately reported.

The DOP has created a web sight that has information about the Hay Group Study. It is: [www.plans.wv.gov](http://www.plans.wv.gov)  
For information about UE Local 170's efforts to protect workers rights on this and other issues go to [www.uelocal170.org](http://www.uelocal170.org)

# *Chapter Reports*

## **Parkways**

The Parkways Chapter is holding monthly membership meetings again after the end of Snow Removal Ice Control (SRIC) season. The monthly meeting is held on the last Thursday of each month at 5:30 p.m. at the Beckley Travel Plaza near Burger King. The chapter is planning an organizing campaign to sign up new members throughout the Turnpike in the coming months. "I encourage all Parkways employees to join our union in order to have a stronger voice to protect our pay and benefits," said Paul Perdue, President of the Parkways Chapter.

## **DHHR**

The DHHR Chapter will be holding its annual statewide membership meeting at the Local 170 Union Hall in Charleston on Saturday, June 26 to nominate and elect chapter officers and trustees. The chapter has been having conference call meetings on the first Thursday of each month at 6:30 p.m. The conference call meetings are open to any DHHR Chapter member, but at least one steward or member per work place is encouraged to participate. The chapter voted at its April meeting to participate in organizing a public hearing on meaningful caseload standards in DHHR program areas and to help organize a Women's Roundtable discussion in conjunction with the its annual statewide chapter membership meeting.

## **State Hospitals**

Membership at the state hospitals has continued to grow and now stands at over 300 members. In the coming months, new hospital chapters will be forming to join our first state hospital chapter: Mildred Mitchell Bateman Hospital Chapter in Huntington. UE Local 170 leaders and stewards at the state hospitals have been having monthly conference calls to share information and to get legislative and union updates.

UE Local 170 members at the state hospitals have been circulating petitions, calling on DHHR Secretary Patsy Hardy to "Respect Our First Amendment Rights." DHHR has banned UE and UE Local 170 from any access at the state hospitals since late last year because of the union's aggressive work to protect and represent members at the state hospitals. The WV ACLU has threatened legal action against DHHR over its illegal ban.

## **Capitol Complex**

At the chapter membership meeting held at the Union Hall on May 4, the Capitol Chapter conducted nominations for all chapter officer and trustee positions. Ballots have been mailed to all chapter members and will be counted at our June chapter meeting.

At our April chapter membership meeting our union members recommended that we continue our location shop meetings. These meetings are seen as a way to enhance our communication and grow support as we build our shop density. By meeting with our membership in the various work locations we are able to keep our membership informed, learn about new issues concerning our membership and allow us to reach out to new members.

## **DOH**

All three of the DOH Chapters have resumed regular monthly chapter meetings now that the Snow Removal Ice Control (SRIC) season has ended. For much of the past winter DOH employees were working twelve hour shifts seven days a week. Thanks to all the hard working DOH employees who worked tirelessly to keep WV state roads safe during one of the harshest winters in recent years.

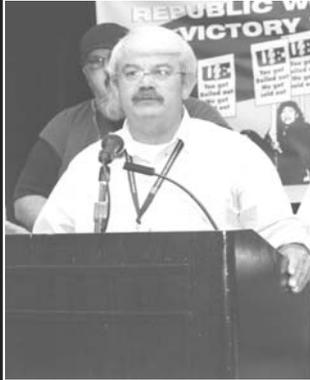
DOH Chapter 1 meets on the second Thursday each month. DOH Chapter 2 meets on the first Thursday each month. DOH Chapter 3 meets on the third Thursday each month. Chapter meeting notices with the locations and times of the meetings are sent out in advance and can also be found on the UE Local 170 web site.

# *UE National News*

## *UE Local 170 Members attend 71st National UE Convention*

The UE Convention is rank-and-file democracy in action. Delegates representing UE regions and local unions from around the country set UE policy, elect the union's national officers and learn about our union's progress since the last convention. It's UE's most educational and inspirational event.

UE Local 170 members who attended the convention included Bruce Dotson, Ann Mollohan, Dawn Knight, Jay Miser, Jeff Watson and Keir Moorman. All of the Local 170 members participated throughout the convention, including speaking from the floor of the convention on UE policy proposals. Jay Miser, Jeff Watson, and Keir Moorman, who are officers of the Mildred Mitchell Bateman Hospital Chapter, were recognized during UE Director of Organizing Bob Kingsley's report to the convention.



## *UE Young Activists Program*

Acting on the recommendations of UE members at the National Convention, the UE has put together a new UE Young Activists Program to help develop younger members' leadership skills and to get them more involved and active in all levels of the union. Four UE Local 170 members attended the first meeting of UE Young Activists from the Eastern Region on April 23 in Pittsburgh in conjunction with the UE Eastern Regional Council Meeting. For more information on the UE Young Activist Program visit the UE web site: [www.ueunion.org](http://www.ueunion.org) or call John Thompson, UE Field Organizer, who is coordinating the UE Young Activists Program for the UE Eastern Region.



## *UE Local 170 Calendar of Events*

- June 3** DOH Chapter 2 Membership Meeting  
Meeting location and time: TBA
- June 3** DHHR Chapter Conference Call  
6:30 p.m.
- June 8** Capitol Complex Chapter Membership Meeting  
5:30 p.m. – UE Local 170 Union Hall
- June 10** DOH Chapter 1 Membership Meeting  
Meeting location and time: TBA
- June 17** DOH Chapter 3 Membership Meeting  
Meeting location and time: TBA
- June 22 - 26** U.S. Social Forum - Detroit
- June 24** Parkways Chapter Membership Meeting  
5:30 p.m. – Beckley Travel Plaza
- June 26** DHHR Chapter Annual Statewide Membership Meeting  
11 a.m. – UE Local 170 Union Hall
- June 26** Women's Roundtable Discussion  
1 p.m. – UE Local 170 Union Hall
- August 21 - 24** UE Organizing School and Blitz - West Virginia



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